



Administrative Policies and Procedures: 14.24

Subject:	Child Protective Services Background Checks
Authority:	TCA 37-1-414; 37-5-105; 37-5-106; 27-5-107; 37-5-511
Standards:	None
Application:	All Department of Children's Services Employees

Policy Statement:

The Department of Children's Services requires a background check on any person who applies to work with children and youth as a volunteer or paid employee in any position in which any significant contact with children is likely.

Purpose:

Pursuant to *Tennessee Code Annotated 37-1-414 and 37-5-511*, background checks are required for all persons who have direct contact with children. This operating procedure provides the steps to be followed when child caring, contract agencies and child welfare agencies request a CPS records check on an individual(s).

Procedures:

A. Request for a CPS record check	<ol style="list-style-type: none">1. When DCS central office receives a child protective services records request from a contract or child caring agency a DCS database records check of TNKids and the Social Services Management System (SSMS) will be conducted.2. The staff person completing the search will also record the information for the requesting party on form CS-0741, Database Search Results. This form is mailed or faxed to the requesting agency.								
B. Waiver of an indicated case for placement	<ol style="list-style-type: none">1. If a person was found to be indicated on the SSMS database for one of the following classifications, the indication can be waived if the following circumstances are present:<ol style="list-style-type: none">a) The indication was for any of the following classification codes:<table><tr><td>♦ Lack of supervision:</td><td>Code G</td></tr><tr><td>♦ Educational neglect:</td><td>Code N</td></tr><tr><td>♦ Moral abuse:</td><td>Code K</td></tr><tr><td>♦ Physical neglect:</td><td>Code E</td></tr></table>	♦ Lack of supervision:	Code G	♦ Educational neglect:	Code N	♦ Moral abuse:	Code K	♦ Physical neglect:	Code E
♦ Lack of supervision:	Code G								
♦ Educational neglect:	Code N								
♦ Moral abuse:	Code K								
♦ Physical neglect:	Code E								

	<ul style="list-style-type: none">◆ Substantial risk of physical abuse: Code S◆ Other: Code P <ul style="list-style-type: none">b) The SSMS indication is ten (10) years or more from the date of the requested background check.c) There have not been any subsequent referrals of any kind.d) If a child death (Codes Q & R) resulted in any previous report, <u>the indication cannot be waived</u>. <ul style="list-style-type: none">2. If DCS does not begin procedures to release from the TNKids database the identity and other related information of a perpetrator in an “indicated” report of abuse, severe child abuse, child sexual abuse, or neglect within two (2) years of the initial classification, DCS will not release any information as to that report. This provision will not, however, require expunction of this information from the Department’s internal records.3. Prior to the release of information from either TNKids or SSMS database, the hard copy file and/or court order with adjudication must be located.
C. Internal DCS records check guidelines	<ul style="list-style-type: none">1. If a request is received after hours, on holidays or weekends the DCS case manager may contact Central Intake to perform the DCS database records check.2. If local or regional DCS are unable to locate the closed case file or if the file has been destroyed, the records check will note that the person cannot be cleared and will only record the year of the indication.

Forms:	<u>CS-0668, Authorization For Release of Information to the Department of Children’s Services</u> <u>CS-0741 Database Search Results</u>
---------------	---

Collateral documents:	<i>None</i>
------------------------------	-------------

Glossary:	
<i>Term</i>	<i>Definition</i>
<i>SSMS:</i>	The Tennessee child welfare data system before TNKids.